

TAB 2

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

RICHARD MILLER §
§
§
Plaintiff, § CIV. A. NO. 3:09-cv-0440-O
§ ECF
v. §
§
RAYTHEON COMPANY, §
§
Defendant. §
§
DECLARATION OF YONA ROZEN

STATE OF TEXAS §
§
COUNTY OF DALLAS §

I hereby declare pursuant to 28 U.S.C. § 1746:

1. My name is Yona Rozen. I am over the age of eighteen (18) years, of sound mind, and fully capable of making this affidavit. I am fully competent to testify to the matters stated in this affidavit, all of which is true, and of which I have personal knowledge.
2. I am a shareholder of Gillespie, Rozen, & Watsky, P.C. (“GRW”).
3. I obtained a B.A. Degree with Honors in Political Science and History from Penn State University in 1974 and a J.D. Degree from the Vanderbilt University School of Law in Nashville, Tennessee in 1978. I was admitted to the Pennsylvania Bar in 1978 and to the Texas Bar in 1985. I am admitted to practice before the United States Supreme Court, United States Court of Appeals for the Fifth, Ninth, and Federal Circuits, the United States District Courts for the Northern, Western, and Eastern Districts of Texas. In 1978, I was hired as a field attorney for Region 3 of the National Labor Relations Board (NLRB) and remained in that position for

three years. I transferred to the position of staff attorney in the Division of Advice, at the NLRB Headquarters in 1981 and remained in that position for two years. I became an associate in the law firm of Hicks, Gillespie, James & Lesser, P.C in October, 1983 and approximately two years later became a shareholder in that firm.

4. In 1990 I became a shareholder in the firm that is now known as GILLESPIE, ROZEN, & WATSKY, P.C. (hereinafter "GRW"), with offices in Dallas, Texas. I obtained Board Certification in Labor Law (now known as Labor and Employment Law) in 1987. I have served as a member of the Executive Board of the State Bar of Texas Labor and Employment Section for several years and then as its Chair (1991-1992). I was inducted as a fellow of the College of Labor and Employment Lawyers in 2006. Throughout my legal career, my practice has predominantly involved labor and employment law since I became licensed in October 1978. I regularly write, lecture, and speak on labor and employment law issues. I have extensive civil litigation experience, with substantial experience with jury trials (over 10 as first chair), numerous bench trials, ALJ trials and hundreds of arbitrations. *Texas Monthly* and *Law & Politics* magazines have listed me as a "Super Lawyer" in Dallas (2003-2010), in 2010 in the same publications I was also listed as among the top 50 women lawyers in Texas and the 100 lawyers in DFW. In addition, I have been listed in "Best Lawyers in America" continuously since 1997.

5. I am aware of the customary rates for attorneys of various skill levels specializing in the area of labor, employment, and other civil rights litigation within the Dallas-Fort Worth area. I have also reviewed the Declaration of Hal K. Gillespie filed in this case and have reviewed the underlying documents referenced in paragraph 5 of Mr. Gillespie's declaration including the Honorable Judge Boyle's decision in *Nassar v. UT Southwestern Medical Center*, the

Declarations of Brian P. Lauten and Brent R. Walker in Support of Dr. Nassar's Application for Attorneys' Fees (Exhibits 1,2 and 3 attached to the Gillespie declaration). These exhibits demonstrate that Judge Boyle approved rates of \$400 for Walker who was admitted in 2004, \$500 for Lauten who was admitted in 2001 and \$750 for Charla Aldous who was admitted in 1982, all of whom obtained excellent results for Dr. Nassar.

6. In addition I have reviewed several surveys which address the range of attorneys' fees for partners in the Dallas Fort Worth area. A 2010 *National Law Journal* survey of partner billing shows a range from \$617 per hour to \$1120 per hour for the five Dallas Law Firms listed. For 2010 for partner billing at these five law firms it shows a range as to high billing partners from \$617 per hour to \$1,120 per hour. That survey shows high billing partners at Thomson & Knight at \$825 per hour and at Gardere Wynne Sewell at \$817 per hour. A copy of relevant portions of the survey is attached hereto as Exhibit A. I have also reviewed a recent survey published by the *Texas Lawyer*. A copy of that survey is attached hereto as Exhibit B.

7. I have been admitted to practice since 1978, in Texas since 1985, and in the Northern District of Texas since 1983, and I have been board certified in this area of practice since 1987. The result obtained for Mr. Miller in this case was exceptional. *Texas Lawyer* recently published a review of jury verdicts and listed the Miller verdict as the second largest verdict listed in the Employment category in Texas in 2010. The Miller verdict is the highest employment discrimination verdict. A copy of the report is attached hereto as Exhibit C.

8. My current rate billed to hourly clients who are paying a full hourly rate is \$485.00 for this kind of legal work. As Mr. Gillespie describes more fully at Paragraph 13 of his declaration, many of my clients do not pay a full hourly fee because their cases are handled on a mixed contingency and reduced fee arrangement. I am aware that the rate of \$485.00 per hour is

well below the market rate for attorneys of my skill level, experience, expertise, and certification in Dallas. I chose to keep my billing rate low because of my desire to provide legal services to people who come to our firm when they are facing or have experienced a loss of employment and therefore could not afford the market rates. With 33 years of experience and board certification since 1987, my skill level, experience, expertise and certification is at least equal to that of the Thompson & Knight and Gardere lawyers reflected in Exhibit A attached hereto. The reasonable rate for attorneys of my skill level, experience, expertise, and certification in the Dallas area is \$775 per hour.

9. In this case, Mr. Miller asserted claims of age discrimination under federal and state anti-discrimination laws. GRW attorneys conducted extensive discovery concerning these claims. To prosecute and ultimately prevail on these claims, GRW attorneys conducted three rounds of written discovery; exchanged and reviewed some 2900 pages of discovery documents; took ten depositions of Raytheon Co. witnesses; filed a motion to compel that was granted in part; successfully responded to Raytheon's motion for summary judgment; worked with the economist Dr. J. Herbert Burkman to develop and present evidence of Miller's economic losses; prepared for trial; tried the case; and engaged in post-trial litigation resulting in the Court's May 13 order.

10. The work performed by the attorneys participating in this case and claimed in Plaintiff's *Federal Rule 54(d) Motion for Attorney's Fees and Costs* was reasonable and necessary—both in terms of the work done and the time expended—to obtain the results achieved for Mr. Miller. For example, discovery in this case involved a considerable amount of travel due to the location of several witnesses in southern California. I personally traveled to Los Angeles, California, between February 2 and 3, 2010, to depose Allen Reid and Robert Lyells;

then again between February 23 and 26, 2010, to depose William E. Anderson, James Lam, and Gary LaMonte; and to Boston, Massachusetts, on February 9, 2010, to depose Vivek Kamath. Plaintiff submitted portions of each of these depositions in his appendix supporting his opposition to Raytheon's motion for summary judgment. At trial, both parties presented portions of Anderson's and Kamath's video-taped deposition (See T.5/41-84; T.5/149-167), and the Court referenced Mr. Anderson's testimony in his order addressing Raytheon's post-trial motions. (See Doc. 168 at 16).

11. The other depositions taken by Plaintiff's counsel were also reasonable and necessary. In addition to the depositions noted in the preceding paragraph, Plaintiff's counsel also deposed Lisa Crump, Douglas Hagedorn, Loretta Sweeney, and Amos Wilson. I took two of these depositions and Mr. Sanford took the others, all of which occurred in Dallas. Crump and Sweeney testified live at trial, and Plaintiff's counsel utilized their deposition transcripts in cross-examination. Both parties read portions of Mr. Wilson's deposition into the record because he was unavailable at the time of trial to appear.

12. My accurate and contemporaneous time records for the legal services I rendered in this matter are included in Exhibit 5 attached to the Declaration of Hal K. Gillespie. However, I note specifically that I reduced my hours included in Exhibit 5 at the time of initial billing in all instances where I felt such hours were excessive in light of the work performed. For example there were instances where I conferred with James Sanford and Hal K. Gillespie but I chose not to bill the client for my time because Mr. Sanford was doing so and I determined it was not appropriate to bill the client for all attorney hours. Similarly in an instance where Mr. Sanford and I participated in a 3 hour meeting with Ms. Lyons on January 13, 2010, my time is included but Mr. Sanford's is not. I estimate that I reduced, before initial billing, at least 10% of the hours

that otherwise would have been billed.

13. The parties tried Miller's age discrimination claims to a jury from July 8, 2010 to July 13, 2010. The parties tried the equitable relief/front pay phase of the litigation to the Court on July 29, 2010.

14. The time and effort required to fully litigate Mr. Miller's claims against Defendant necessarily precluded GRW from undertaking other opportunities for employment. As someone well known for my skill in the area of labor and employment law, I receive many referrals on a regular basis. Because of my commitment to Mr. Miller's case, for many weeks at a time, I was unable to commit the time to interview prospective clients, accept those cases, and pursue those legal claims. Mr. Miller has no relationship with me or any other attorney who has participated in this case that would act to reduce compensation for legal services.

15. The total amount of expenses incurred by my firm and/or directly paid by Richard Miller is \$ 42,348.26. Not all of these expenses are claimed as reimbursable expenses.. Plaintiff now claims the costs set forth below, which are reasonable and which he necessarily incurred for purposes of this litigation. True and correct copies of invoices for expenses billed to my firm are attached at Exhibit **D** to this declaration. (Summaries of these costs paid by the firm are also reflected in the billing records which are contained in Exhibit **5** attached to the Declaration of Hal. K. Gillespie). Also attached to this declaration, at Exhibit **E**, are true and correct copies of receipts for costs paid directly by Mr. Miller, including airfare and accommodations for him and for me for depositions in Los Angeles and Boston, as well as travel costs for Gregory Meihn to travel from Detroit to Dallas to testify at trial. Mr. Miller also paid Dr. Burkman's fee directly, and I am including Dr. Burkman's invoices and a cancelled check drawn on the Millers' account at Exhibit **F**. I have reviewed the attached invoices and costs items and believe that they

represent the reasonable and necessary expenses incurred by this firm and/or Mr. Miller directly in prosecuting his case.

16. The following chart summarizes the reasonable and necessary expenses incurred by GRW in pursuing Mr. Miller's claims for which he now seeks recovery.

Cost Summary

<u>Cost</u>	<u>Amount</u>
Filing Fees*	\$ 350.00
Transportation	
Airfare	\$ 860.10
Parking	\$ 156.95
Copying Charges*	\$ 977.90
Delivery Services/Process server	\$ 171.85
Deposition Fees*	\$ 8,945.55
Hotels	\$ 351.92
Meals	\$ 9.49
Trial Transcripts*	\$ 2,262.75
Postage	\$ 161.94
Miscellaneous/Trial costs	\$ 569.99
TOTAL	\$ 14,818.44

Expense items marked with an asterisk are those that I believe are taxable under 28 U.S.C. § 1920. Notably, Miller does request reimbursement for out-of-pocket videographer/video editing costs or mediation costs—totaling \$6,595 and \$2,775, respectively.

The following chart summarizes the reasonable and necessary expenses incurred in pursuing Mr. Miller's claims that Mr. Miller paid directly and for which he now seeks recovery.

Cost Summary

<u>Cost</u>	<u>Amount</u>
Transportation	
Airfare	\$ 1,652.60
Taxi	\$ 78.00
Parking	\$ 141.00
Hotels	\$ 957.64
Meals	\$ 205.58
Expert costs	\$ 15,125.00
TOTAL	\$ 18,159.82

17. Plaintiff seeks reimbursement for \$569.99 in "Miscellaneous/Trial" costs. These costs include items necessary for the presentation of Mr. Miller's case to the jury, including his share of rental charges for the audio equipment and binders made into exhibit binders.

18. Plaintiff also seeks reimbursement of \$977.90 in copying costs. My firm's practice is to copy our client on all correspondence, pleadings, and discovery in the client's case. I believe this practice is necessary to satisfy our duty to communicate with Mr. Miller, as the client, and in this case, it was necessary so that Mr. Miller could participate in reviewing discovery and documents, give input in responding to summary judgment, and provide input in the preparations for trial.

19. FURTHER DECLARANT SAYETH NAUGHT.

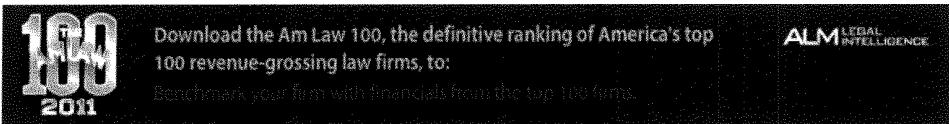
I hereby declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief this 27th day of May 2011.

Signed:
Yona Rozen

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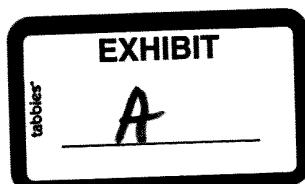


A nationwide sampling of law firm billing rates

The National Law Journal asked the respondents to its 2010 survey of the nation's 250 largest law firms to provide a range of hourly billing rates. Firms that supplied the information are listed in alphabetical order. Non-NLJ 250 firms appear separately.

See also

- Billing rates by associate class
- Methods of alternate billing
- Revenue generated by alternate billing



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Number of

partner

attorneys

Average of

firmwide billin

rates

Median of

firmwide billin

rates

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Firm	Office	Number of partners	Average of firmwide billing rates	Median of firmwide billing rates
Fox Rothschild	Philadelphia	472	\$407	\$415
Frost Brown Todd	Cincinnati	404	\$279	\$280
Garde Wynne Sewell	Dallas	270	\$443	\$430
Gibbons	Newark, N.J.	223	\$404	\$410
Godfrey & Kahn	Milwaukee	172		
GrayRobinson	Orlando, Fla.	250		
Greenberg Traurig	New York	1,763	\$453	\$480
Harris Beach	Rochester, N.Y.	176		
Hiscock & Barclay	Syracuse, N.Y.	175	\$311	\$275
Hodgson Russ	Buffalo, N.Y.	197	\$328	\$320
Holland & Knight	Washington	942	\$418	\$425
Holme Roberts & Owen	Denver	192	\$355	\$345
Husch Blackwell	St. Louis	554	\$329	\$331
Jackson Kelly	Charleston, W.Va.	161		
Jackson Lewis	White Plains, N.Y.	561	\$364	\$300
Jones, Walker, Waechter,	New Orleans	302		
Kelley Drye & Warren	New York	325		
Kilpatrick Stockton	Atlanta	423	\$425	\$425
Knobbe, Martens, Olson & Bear	Irvine, Calif.	266	\$432	\$415
Lane Powell	Seattle	175	\$349	\$380
Lathrop & Gage	Kansas City	286		
Lindquist & Vennum	Minneapolis	184	\$330	\$350
Littler Mendelson	San Francisco	764	\$372	\$355
Locke Lord Bissell & Liddell	Dallas	642	\$486	\$515

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\$415	\$690	\$315	\$473	\$470	\$475	\$235	
\$280	\$515	\$200	\$326	\$325	\$250	\$150	
\$430	\$815	\$380	\$531	\$525	\$445	\$195	
\$410	\$790	\$390	\$479	\$475	\$450	\$250	
	\$495	\$325			\$340	\$180	
	\$750	\$225			\$315	\$150	
\$480	\$875	\$355	\$550	\$580	\$610	\$200	
	\$500	\$275			\$250	\$140	
\$275	\$650	\$195	\$348	\$305	\$440	\$150	
\$320	\$665	\$230	\$374	\$370	\$410	\$175	
\$425	\$850	\$300	\$499	\$495	\$480	\$185	
\$345	\$635	\$285	\$415	\$410	\$530	\$170	
\$331	\$804	\$230	\$357	\$375	\$415	\$171	
	\$495	\$245			\$275	\$155	
\$300	\$715	\$260	\$428	\$430	\$440	\$150	
	\$620	\$195			\$275	\$140	
	\$900	\$465			\$565	\$275	
\$425	\$730	\$375	\$527	\$520	\$465	\$225	
\$415	\$710	\$395	\$511	\$485	\$450	\$285	
\$380	\$600	\$310	\$431	\$430	\$350	\$230	
	\$490	\$255			\$265	\$180	
\$350			\$415	\$410			
\$355	\$650	\$290	\$445	\$435	\$480	\$210	
\$515	\$1,120	\$400	\$599	\$600	\$525	\$215	

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\$531	\$523	\$445	\$195	\$311	\$310
\$479	\$475	\$450	\$250	\$289	\$275
		\$340	\$180		
		\$315	\$150		
\$550	\$580	\$610	\$200	\$332	\$350
		\$250	\$140		
\$348	\$305	\$440	\$150	\$234	\$195
\$374	\$370	\$410	\$175	\$238	\$230
\$499	\$495	\$480	\$185	\$288	\$280
\$415	\$410	\$530	\$170	\$295	\$285
\$357	\$375	\$415	\$171	\$220	\$205
		\$275	\$155		
\$428	\$430	\$440	\$150	\$282	\$275
		\$275	\$140		
		\$565	\$275		
\$527	\$520	\$465	\$225	\$320	\$320
\$511	\$485	\$450	\$285	\$332	\$335
\$431	\$430	\$350	\$230	\$278	\$275
		\$265	\$180		
\$415	\$410			\$235	\$230
\$445	\$435	\$480	\$210	\$296	\$285
\$599	\$600	\$525	\$215	\$320	\$300

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Seyfarth Shaw	Chicago	704	\$377	\$375
Sheppard Mullin	Los Angeles	464		
Shumaker, Loop & Kendrick	Toledo, Ohio	210	\$331	\$350
Smith, Gambrell & Russell	Atlanta	175		
Snell & Wilmer	Phoenix	396	\$338	\$325
Stoel Rives	Portland, Ore.	368	\$381	\$395
Strasburger & Price	Dallas	181	\$336	\$351
Taft, Stettinius & Hollister	Cincinnati	286	\$315	\$315
Thompson & Knight	Dallas	328		
Thompson Coburn	St. Louis	326		
Townsend and Townsend and	San Francisco, Calif.	177	\$320	\$290
Ulmer & Berne	Cleveland	177		
Vedder Price	Chicago	255	\$425	\$425
Venable	Washington	494	\$484	\$495
Williams Mullen	Richmond, Va.	300	\$368	\$340
Winstead	Dallas	264	\$395	
Winston & Strawn	Chicago	899	\$486	\$490
Womble Carlyle Sandridge & Rice	Winston-Salem, N.C.	503	\$372	\$375
Wyatt, Tamant & Combs	Louisville, Ky.	186		
Non-NLJ 250 Firms				
Brinks Hofer Gilson & Lione	Chicago	149	\$435	\$435
Fowler White Boggs	Tampa, Fla.	127	\$350	\$370
Lewis, Rice & Fingersh	St. Louis	157		

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	\$770	\$335	\$505	\$503	\$535	\$185	
	\$820	\$495			\$620	\$270	
\$350	\$540	\$250	\$366	\$365	\$315	\$185	
	\$740	\$325			\$440	\$195	
\$325	\$795	\$315	\$486	\$475	\$550	\$175	
\$395	\$600	\$315	\$441	\$443	\$390	\$190	
\$351	\$617	\$250	\$372	\$393	\$306	\$194	
\$315	\$500	\$220	\$358	\$350	\$365	\$165	
	\$825	\$410			\$440	\$265	
\$290	\$610	\$300			\$395	\$190	
	\$750	\$470	\$563	\$550	\$460	\$260	
	\$365	\$260			\$375	\$185	
\$425	\$720	\$370	\$483	\$470	\$365	\$255	
\$495	\$950	\$445	\$590	\$585	\$500	\$280	
\$340	\$645	\$315	\$428	\$395	\$370	\$230	
	\$655	\$340	\$462		\$390	\$215	
\$490	\$1,075	\$475	\$670	\$660	\$610	\$250	
\$375	\$625	\$300	\$461	\$465	\$445	\$210	
	\$500	\$245			\$285	\$180	
\$435	\$725	\$345	\$541	\$560	\$420	\$195	
\$370	\$575	\$325	\$400	\$388	\$315	\$205	
	\$460	\$260			\$315	\$150	

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			\$620	\$270			
\$366	\$365		\$315	\$185	\$246	\$235	
			\$440	\$195			
\$486	\$475		\$550	\$175	\$282	\$265	
\$441	\$443		\$390	\$190	\$270	\$265	
\$372	\$393		\$306	\$194	\$243	\$245	
\$358	\$350		\$365	\$165	\$227	\$225	
			\$440	\$265			
			\$395	\$190			
\$563	\$550		\$460	\$260	\$345	\$325	
			\$375	\$185			
\$483	\$470		\$365	\$255	\$326	\$325	
\$590	\$585		\$500	\$280	\$353	\$330	
\$428	\$395		\$370	\$230	\$279	\$280	
\$462			\$390	\$215	\$291		
\$670	\$660		\$610	\$250	\$393	\$375	
\$461	\$465		\$445	\$210	\$291	\$285	
			\$285	\$180			
\$541	\$560		\$420	\$195	\$308	\$285	
\$400	\$388		\$315	\$205	\$250	\$255	
			\$315	\$150			

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City and Firm Size	Equity Partner 2010	Equity Partner 2009	Percent Change	Non-Equity Partner 2010
Survey Averages	\$397	\$391	1.5	\$359
CITY				
Austin/San Antonio	\$392	\$386	1.6	\$353
Dallas/Fort Worth	\$484	\$476	1.7	\$452
Houston	\$410	\$405	1.2	\$327
Other	\$272	\$271	0.4	\$224
Number of Lawyers				
100+	\$561	\$545	2.9	\$498
50-99	\$361	\$358	0.8	\$272
30-49	\$335	\$334	0.3	\$296
Less than 30	\$360	\$356	1.1	\$290

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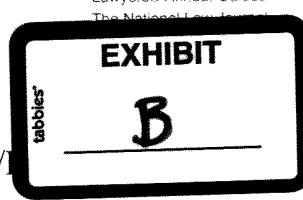
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Non-Equity Partner 2009	Percent Change	7th-Year Associate 2010	7th-Year Associate 2009	Percent Change	4th-Year Associate 2010
\$350	2.6	\$287	\$282	1.8	\$249
\$346	2	\$284	\$280	1.4	\$241
\$440	2.7	\$346	\$338	2.4	\$298
\$317	3.2	\$278	\$271	2.6	\$257
\$225	-0.4	\$190	\$190	0	\$167
\$486	2.5	\$395	\$382	3.4	\$339
\$266	2.3	\$245	\$245	0	\$226
\$293	1	\$231	\$228	1.3	\$203
\$278	4.3	\$276	\$271	1.8	\$234

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4th-Year Associate 2010	4th-Year Associate 2009	Percent Change	1st-Year Associate 2010	1st-Year Associate 2009	Percent Change
\$249	\$243	2.5	\$203	\$198	2.5
\$241	\$239	0.8	\$210	\$209	0.5
\$298	\$288	3.5	\$223	\$219	
\$257	\$251	2.4	\$206	\$201	2.5
\$167	\$166	0.6	\$140	\$140	0
\$339	\$327	3.7	\$260	\$259	0.4
\$226	\$224	0.9	\$191	\$191	0
\$203	\$201	1	\$160	\$157	1.9
\$234	\$228	2.6	\$194	\$186	4.3

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1st-Year Associate 2009	Percent Change	Senior Legal Assistant 2010	Senior Legal Assistant 2009	Percent Change
\$198	2.5	\$141	\$139	1.4
\$209	0.5	\$141	\$139	1.4
\$219		\$172	\$171	0.6
\$201	2.5	\$145	\$141	2.8
\$140	0	\$87	\$90	-3.3
\$259	0.4	\$199	\$196	1.5
\$191	0	\$126	\$125	0.8
\$157	1.9	\$111	\$114	-2.6
\$186	4.3	\$125	\$121	3.3

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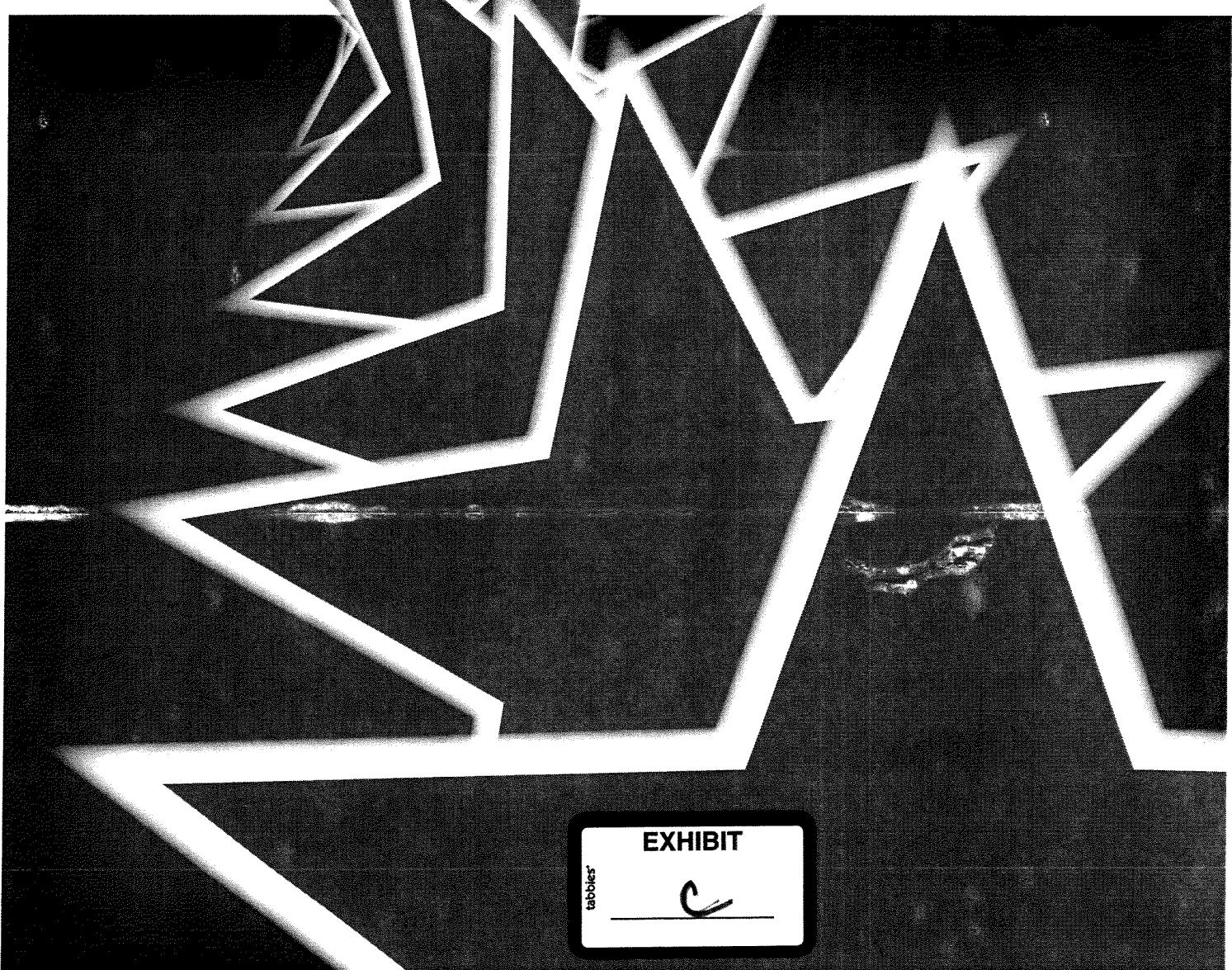
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No.	Case Name	Date	Court	Headline	Total	Attorneys
1	Veronica Gonzales v. David Cantu Jr. and Hector Mejia	7/29/10	Dallas County	Plaintiff claimed fraudulent transfer of residential property	\$675,000.00	Price L. Johnson, Dallas, TX of Johnson Firm

DISCRIMINATION

No.	Case Name	Date	Court	Headline	Total	Attorneys
1	Nael Nassar, M.D. v. UT Southwestern Medical Center	5/26/10	Federal	Pakistani doctor claimed he faced retaliation at medical school	\$3,625,667.33	Charla G. Aldous, Dallas, TX of Aldous Law Firm; Brent Walker, Dallas, TX of Aldous Law Firm; Brian P. Lauten, Mesquite, TX of Sawicki & Lauten, LLP; Amy Bryant Lauten, Dallas, TX of Sawicki & Lauten, LLP.

EMPLOYMENT

No.	Case Name	Date	Court	Headline	Total	Attorneys
1	Richard Garriott v. NCSoft Corp.	7/29/10	Federal	Video game exec said company broke stock option agreement	\$28,000,000.00	David B. Conrad, Dallas, TX of Fish & Richardson P.C.; Stephen E. Fox, Dallas, TX of Fish & Richardson P.C.; Kelly Dean Hine, Dallas, TX of Fish & Richardson P.C.; Tommy Jacks, Austin, TX of Fish & Richardson P.C.
2	Richard Miller v. Raytheon Company	7/13/10	Federal	Raytheon engineer claimed age played role in termination	\$16,579,179.00	Hal K. Gillespie, Dallas, TX of Gillespie, Rozen & Watsky PC; Yona Rozen, Dallas, TX of Gillespie, Rozen & Watsky PC; James Dennis Sanford, Dallas, TX of Gillespie, Rozen & Watsky PC
3	Mark Duncan v. El Paso Electric Company	12/17/10	El Paso County	Plaintiff fired after he faced death threat from manager	\$5,804,109.00	John A. Wenke, El Paso, TX of Law Office of John Wenke
4	Lynda M. Beck v. Guardian Leasing Inc.	8/5/10	Harris County	Office worker claimed boss asked her about her sex life	\$868,000.00	Stanley P. Santire, Houston, TX; Steve Petrou, Cypress, TX of Law Office of Steven Petrou
5	Christopher Koustoubardis v. Texas Youth Commission	10/7/10	Dallas County	Judge claimed he was fired for reporting misconduct	\$692,879.00	Julie E. Heath, Dallas, TX of Farrow-Gillespie and Heath; Jennifer N. Lewis, Dallas, TX of Farrow-Gillespie and Heath; Don A. Tittle, Jr., Dallas, TX of Law Offices of Don Tittle
6	William Wise, Jr. v. Dell, Inc.	11/15/10	Travis County	Dell sales rep claimed age played role in termination	\$668,019.00	Paul Matula, Austin, TX of Hohmann, Taube & Summers; Amanda Taylor, Austin, TX of Hohmann, Taube & Summers
7	Armando Gonzales v. Dallas County	11/19/10	Dallas County	Deputy constable fired for reporting violations, he claimed	\$606,046.90	Corey Hyden, Dallas, TX of Lippe & Associates; Emil Lippe, Jr., Dallas, TX of Lippe & Associates

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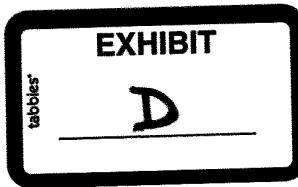
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Debbie L. Whitney

From: James Sanford [jsanford@grwlawfirm.com]
Sent: Monday, July 12, 2010 8:48 AM
To: dwhitney@grwlawfirm.com
Subject: FW: Miller v. Raytheon Opening Statements

Debbie –

Can we have a check cut to the court reporter, details as listed below? I'd like to bring it to court on Tuesday, if possible. Thanks.

James D. Sanford
Gillespie, Rozen & Watsky P.C.
3402 Oak Grove Ave., Suite 200
Dallas, Texas 75204
Tel: (214) 720-2009
Fax: (214) 720-2291

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Sent: Monday, July 12, 2010 7:07 AM
To: 'Debbie Saenz'
Cc: hkg@grwlawfirm.com; yrozen@grwlawfirm.com; dwhitney@grwlawfirm.com; 'James Sanford'
Subject: RE: Miller v. Raytheon Opening Statements

Thanks, Debbie. I will work on getting a check ready for you. Do you mind if I aim to bring it Tuesday? Our office manager will be in Monday and will be able to issue the check then. Thanks.

Jim
James D. Sanford
Gillespie, Rozen & Watsky P.C.
3402 Oak Grove Ave., Suite 200
Dallas, Texas 75204
Tel: (214) 720-2009
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Sent: Sunday, July 11, 2010 2:25 PM
To: Michael Maslanka; Vista Lyons; Laura McFerrin; Hal Gillespie; Yona Rozen; Jim Sanford
Subject: Miller v. Raytheon Opening Statements

Counsel,

Attached is your transcript of opening statements in PDF as filed. I will bring you a printed copy to court in the morning.

Your invoice has been split. Mr. Gillespie's invoice is No. 10-064 and Mr. Maslanka's is invoice No. 10-065. Each is in the amount of 177.45. Please bring a check to court payable to DFW Court Reporting, Inc. in that amount.

Thank you,

Debbie Saenz, CSR, RMR, CRR
Court Reporter to
United States District Judge Reed O'Connor
O - 214.753.2298
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For the Northern District of Texas - Dallas Division

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TO:

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 Gillespie, Rozen & Watsky, P.C.
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 Dallas, Texas 75204

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DATE DELIVERED

July 19, 2010

IN THE MATTER OF (CASE NUMBER AND TITLE)

No. 3:09-CV-440-O; Richard Miller v. Raytheon Company - Closing Arguments of Counsel taken on July 13, 2010 before the Honorable Reed O'Connor, and a jury.

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From: Debbie Saenz [debbie.saenz@yahoo.com]
Sent: Wednesday, August 11, 2010 12:20 PM
To: 'Jim Sanford'; 'Hal Gillespie'; yrozen@grwlawfirm.com
Cc: dwhitney@grwlawfirm.com
Subject: RE: 7/12/10 Miller v. Raytheon - Transcript and Invoice

Yona,

No problem, it happens. Thank you for checking on it and taking care of it for me.

My portion of the trial is approximately 1000 pages. You have about 75 pages of it, but it will, of course, be placed back into context of the trial when transcribed. The rate is .90 per page for a copy since Raytheon has ordered the original. You have time to think about it because I have criminal to be done, plus 500 pages on another thing before you. Let me know or I'll contact you when I get to that point.

I enjoyed working with all of you. Maybe you'll get to Fort Worth sometime!

Debbie

--- On Wed, 8/11/10, Yona Rozen <yrozen@grwlawfirm.com> wrote:

From: Yona Rozen <yrozen@grwlawfirm.com>
Subject: RE: 7/12/10 Miller v. Raytheon - Transcript and Invoice
To: "Debbie Saenz" <debbie.saenz@yahoo.com>, "Jim Sanford" <jsanford@grwlawfirm.com>, "Hal Gillespie" <hkg@grwlawfirm.com>
Cc: dwhitney@grwlawfirm.com
Date: Wednesday, August 11, 2010, 5:08 PM

Debbie: I just checked on this bill and none of us had gotten it to our bookkeeper/office manager for payment, and it is hard for her to pay the bill if we don't give it to her. She has it now and will send the check out today to the Arlington address on the bill. I am really sorry this fell through the cracks.
Thanks. Yona

Yona Rozen

Gillespie, Rozen & Watsky, P.C.

3402 Oak Grove Ave. Suite 200

Dallas, Texas 75204

214-720-2009

214-720-2291 (fax)

yrozen@grwlawfirm.com

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From: Debbie Saenz [mailto:debbie.saenz@yahoo.com]
Sent: Wednesday, August 11, 2010 10:33 AM
To: Jim Sanford; Yona Rozen; Hal Gillespie
Subject: Fw: 7/12/10 Miller v. Raytheon - Transcript and Invoice

Hal, Yona, and Jim,

Can one of you please check on the attached invoice for me? I still haven't received payment and I just wanted to be sure it wasn't missed. I have transferred to Fort Worth and am no longer with Judge O'Connor, so you can stick it in the mail to the Arlington address.

Thank you!

Debbie Saenz

U.S. District Court Reporter

cell 214.642.7267

--- On Mon, 7/19/10, Debbie Saenz <debbie.saenz@yahoo.com> wrote:

From: Debbie Saenz <debbie.saenz@yahoo.com>
Subject: 7/12/10 Miller v. Raytheon - Transcript and Invoice
To: "Jim Sanford" <jsanford@grwlawfirm.com>, "Yona Rozen" <yrozen@grwlawfirm.com>, "Hal Gillespie" <hkg@grwlawfirm.com>
Date: Monday, July 19, 2010, 9:12 PM

Jim,

Attached is your invoice and transcript of closing arguments. I have attached it in PDF and in E-Transcript format. If you do not have E-Transcript, you will need to download the free browser from www.reallegal.com in order to view and print it.

Let me know if you decide you want Mr. Miller's testimony as well.

You can deliver your check to me at the courthouse to the clerk's office on the 14th floor c/o Judge O'Connor's chambers. We'll be in trial and it will be a pain to get to me with any delivery, so the clerk's office is easiest. Just be sure you have my name and c/o on there. Also, shoot me an e-mail and let me know when someone comes so I will be watching for it and it doesn't get lost in the shuffle down there.

Let me know if you have any questions.

Thanks,

Debbie Saenz

GILLESPIE, ROZEN & WATSKY, PC

Shawn McRoberts, RMR, CRR
Client Expenses: Court Cost - HKG

10/28/2010
Re:Miller, Richard; Volume 3 of trial 7/10/10; evident
7/29/10, two word indexes

FNB - GRW Operatin Re:Miller, Richard v. Raytheon

 DELUXE CORP 1-800-328-0304 www.deluxeforms.com

AO44 (Rev. 11/07)	UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS								
INVOICE NO: 00000223									
				MAKE CHECKS PAYABLE TO:					
Mr. Hal K. Gillespie Gillespie, Rozen & Watsky 3402 Oak Grove Avenue, Suite 200 Dallas, TX 75204				Shawn McRoberts, RMR, CRR United States Court Reporter 1100 Commerce, Rm. 1654 Dallas, TX 75242					
Phone: (214) 720-2009 FAX: (214) 720-2291				Phone: (214) 753-2349 FAX (214) 753-2352 Tax ID: 535-84-4559 shawn_mcroberts@txnd.uscourts.gov					
<input type="checkbox"/> CRIMINAL <input checked="" type="checkbox"/> CIVIL			DATE ORDERED:			DATE DELIVERED:			
			09-20-2010			09-20-2010			
Case Style: 3:09-CV-440-O, Richard Miller v Raytheon Volume 3 of trial 7/10/10, evidentiary hearing 7/29/10, two word indexes									
CATEGORY	ORIGINAL			1ST COPY			2ND COPY		TOTAL CHARGES
	PAGES	PRICE	SUBTOTAL	PAGES	PRICE	SUBTOTAL	PAGES	PRICE	
Ordinary			340	0.90	306.00				306.00
14-Day									
Expedited									
Daily									
Hourly									
Realtime									
Misc. Desc.						MISC. CHARGES:			
						TOTAL:			306.00
LESS DISCOUNT FOR LATE DELIVERY:									
TAX (If Applicable):									
LESS AMOUNT OF DEPOSIT:									
TOTAL REFUND:									
Date Paid:						Amt:			TOTAL DUE:
									\$306.00
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Full price may be charged only if the transcript is delivered within the required time frame. For example, if an order for expedited transcript is not completed and delivered within seven (7) calendar days, payment would be at the ordinary delivery rate.									
CERTIFICATION									
I certify that the transcript fees charged and page format used comply with the requirements of this court and the Judicial Conference of the United States.									
SIGNATURE							DATE		09-21-2010

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GILLESPIE, ROZEN & WATSKY, PC

DFW Court Reporting, Inc.

Client Expenses: Transcripts - HKG

37733

12/9/2010

1,678.50

Re: Miller v. Raytheon; Jury Trial on Merits V. 1-4; 6-

FNB - GRW Operatin

Re: Miller v. Raytheon

1,678.50

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AO 44 (Rev. 7/95)		UNITED STATES DISTRICT COURT								
For the <u>Northern</u> District of <u>Texas -Dallas Division</u>		INVOICE				NUMBER 10-123				
TO: Mr. James Sanford Gillespie, Rozen & Watsky, P.C. 3402 Oak Grove Avenue, Suite 200 Dallas, Texas 75204 PHONE: 214.720.2009					NOTE MAKE CHECK PAYABLE TO: DFW Court Reporting, Inc. Tax ID No. 20-3290159 4621 S. Cooper, #131-184 Arlington, Texas 76017 PHONE: 214.642.7267 - Debbie Saenz					
TRANSCRIPTS										
<input type="checkbox"/> CRIMINAL X CIVIL			DATE ORDERED unknown			DATE DELIVERED December 8, 2010				
IN THE MATTER OF (CASE NUMBER AND TITLE) No. 3:09-CV-440-O; Richard Miller vs. Raytheon Company - Jury Trial on the Merits Volumes 1-4 and 6-7 taken on July 8-9, 2010 and July 12-13, 2010 before Judge Reed O'Connor.										
CHARGES										
CATEGORY	ORIGINAL			1 ST COPY			ADDITIONAL COPIES			TOTAL CHARGES
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Ordinary			1119	.90	1007.10	1119	.60	671.40	1678.50	
Expedited										
Daily										
Hourly										
For proceedings on (Date): See above.							TOTAL		1678.50	
							LESS DISCOUNT FOR LATE			
							LESS AMOUNT OF DEPOSIT			
							TOTAL REFUNDED			
							TOTAL DUE		1678.50	
ADDITIONAL INFORMATION										
Full price may be charged only if the transcript is delivered within the required time frame. For example, if an order for expedited transcript is not completed and delivered within (7) calendar days, payment would be at the ordinary <i>delivery</i> rate.										
CERTIFICATION										
I certify that the transcript fees charged and page format used comply with the requirements of this court and the Judicial Conference of the United States.										
SIGNATURE OF OFFICIAL COURT REPORTER							DATE 12/8/10			

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Debbie L. Whitney

From: James Sanford [jsanford@grwlawfirm.com]
Sent: Wednesday, December 08, 2010 2:21 PM
To: dwhitney@grwlawfirm.com
Cc: 'Yona Rozen'
Subject: FW: Miller v. Raytheon Invoice

FYI Can we arrange for hand-delivery?

James D. Sanford
Gillespie, Rozen & Watsky P.C.
3402 Oak Grove Ave., Suite 200
Dallas, Texas 75204
Tel: (214) 720-2009
Fax: (214) 720-2291

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From: Debbie Saenz [mailto:debbie.saenz@yahoo.com]
Sent: Wednesday, December 08, 2010 1:14 PM
To: jsanford@grwlawfirm.com
Subject: RE: Miller v. Raytheon Invoice

Jim,

Hand-delivery tomorrow is fine. We have court in the morning, but you could leave it for me at the clerk's office on the 3rd floor of this building and they can put it in my box. That's probably easiest to do.

I will send you the PDF that was filed and an E-Tran version. I will have to create the E-Tran files tonight because that software is only on my main computer at home, but I will have it ready to send to you tomorrow.

Thanks so much for all of your help and your whole team's tremendous patience. It's quite the undertaking to do two people's work with everything on 30 day deadlines for appeal, so I truly appreciate all of your courtesy.

Thanks,

Debbie

--- On Wed, 12/8/10, James Sanford <jsanford@grwlawfirm.com> wrote:

From: James Sanford <jsanford@grwlawfirm.com>
Subject: RE: Miller v. Raytheon Invoice
To: "Debbie Saenz" <debbie.saenz@yahoo.com>
Date: Wednesday, December 8, 2010, 7:06 PM

Thanks, Debbie. I can have a check hand-delivered to you as early as tomorrow, if that works for you. Otherwise, we can mail or FedEx – whatever works best.

Does the E-tran version come along with the transcript? Thanks.

Jim

James D. Sanford

Gillespie, Rozen & Watsky P.C.

3402 Oak Grove Ave., Suite 200

Dallas, Texas 75204

Tel: (214) 720-2009

Fax: (214) 720-2291

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From: Debbie Saenz [mailto:debbie.saenz@yahoo.com]
Sent: Wednesday, December 08, 2010 12:06 PM
To: Jim Sanford
Subject: Miller v. Raytheon Invoice

Jim,

I am FINISHED!!! Here is your invoice. Let me know how you want to handle getting me payment and then your transcripts.

Thanks for everything!

Debbie

GILLESPIE, ROZEN, WATSKY, & JONES, P.C. GENERAL & PAYROLL ACCOUNT

ABC Court Reporters

Client Expenses:Deposition Fees - HKG

Client Expenses:Video Deposition - HKG

Client Expenses:Deposition Copy - HKG

Re:Miller, Richard; Depositions taken by GRW

Re:Miller, Richard; Video Depositions taken by GRW

Re:Miller, Richard; Deposition copies taken by OC.
813.97

31002

7,607.50
4,014.00
813.97

G.R.W. General Acco Invoice #: ABC-1924

12,435.47

LMP12 M/P CHECK

52R311 19-069 6/23/06

ABC COURT REPORTERS

The Nathaniel Barrett Building II
903 E. 18th St. • Suite 115
Plano, Texas 75074
214.303.0222 or 972.398.2227

~ INVOICE ~

April 6, 2010

Thanks, guys!
[Hand-drawn smiley face]

Ms. Debbie Whitney (on behalf of Ms. Yona Rozen)
Gillespie, Rozen & Watsky, P.C.
3402 Oak Grove Ave., Suite 200
Dallas, Texas 75204

INVOICE NO.

ABC-1924

Re: Civil Action No. 3:09-CV-0440-O >> Richard Miller vs. Raytheon Company

Attorneys taking the depositions: Ms. Yona Rozen and Mr. James D. Sanford

- 1) Deposition of Loretta Sweeney - taken 1.29.10 in Dallas, TX = \$ 674.65
(Original + Copy + Exhibits)
- 2) Deposition of Doug Hagedorn - taken 1.29.10 in Dallas, TX = \$ 245.50
(Original + Copy)
- 3) Deposition of Allen Frank Reid, II - taken 2.2.10 in Los Angeles, CA = \$ 1,346.60
(Original + Copy + Exhibits) Videographer Service for Depo of Allen Frank Reid, II = \$ 1,093.00
- 4) Deposition of Robert Lyells - taken 2.3.10 in Los Angeles, CA = \$ 1,344.80
(Original + Copy + Exhibits) Videographer Service for Depo of Robert Lyells = \$ 1,093.00
- 5) Deposition of Vivek Kamath - taken 2.9.10 in Boston, MA = \$ 886.30
(Original + Copy + Exhibits) Videographer Service for Depo of Vivek Kamath = \$ 593.00
- 6) Deposition of Cheryl Ann Miller - taken 2.15.10 in Dallas, TX = \$ 269.89
(Copy only) (Ms. Buena Vista Lyons took this deposition.)
- 7) Deposition of Jon Herbert Burkman, Ph.D. - taken 2.15.10 in Dallas, TX = \$ 295.92
(Copy only) (Ms. Buena Vista Lyons took this deposition.)
- 8) Deposition of James Lam - taken 2.23.10 in Los Angeles, CA = \$ 425.45
(Original + Copy + Exhibits) Videographer Service for Depo of James Lam = \$ 350.00
- 9) Deposition of Amos Wilson - taken 2.25.10 in Dallas, TX = \$ 883.00
(Original + Copy + Exhibits)
- 10) Deposition of William Anderson, Jr. - taken 2.26.10 in Los Angeles, CA = \$ 700.95
(Original + Copy + Exhibits) Videographer Service for Depo of William Anderson, Jr. = \$ 655.00
- 11) Deposition of Gary LaMonte - taken 2.26.10 in Los Angeles, CA = \$ 359.00
(Original + Copy) Videographer Service for Depo of Gary LaMonte = \$ 230.00
- 12) Deposition of Gregory Meihn - taken 2.26.10 in Dallas, TX = \$ 248.16
(Copy only + Exhibits) (Mr. Michael Maslanka took this deposition.)
- 13) Deposition of Lisa Crump - taken 2.26.10 in Dallas, TX = \$ 741.25
(Original + Copy + Exhibits)

TOTAL DUE = \$ 12,435.47

We appreciate your business!!! Please call again soon...



**U.S. EQUAL OPPORTUNITY COMMISSION
Dallas District Office**

**Dallas District Office
San Antonio Field Office
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207 S. Houston Street, 3rd Floor
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Potential Charge Inquiries: 800-669-4000
TTY (214) 253-2710
FAX (214) 253-2720
<http://www.eeoc.gov>

February 11, 2009

Attn: Edith Thomas
3402 Oak Grove Ave., Ste. 200
Dallas, TX 75204

Re: Richard Miller vs. Raytheon

Charge Number: 450-2008-04615

Dear: Edith Thomas

In response to your request for access to documents in one or more investigative files, please note the instructions shown below.

EEOC's procedural rules (Title 29, CFR 1610.15) require that the request be billed for copies made by photocopying machine at the cost of \$.18 cent per page.

Amount Due: \$3.78 Pages: 21

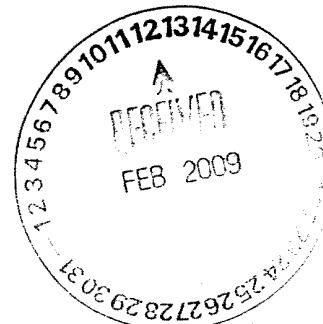
Please make money order, law firm's check, or cashier's check payable to Classic Legal Documents Services, Inc. **No personal checks will be accepted.** Their telephone number is (214) 939-3600, if paying by credit card. If sending by mail, please send it to EEOC, Dallas District Office, 207 South Houston St., 3rd Floor, Dallas, TX 75202.

If you have any questions regarding your request for a copy of the investigative file(s) numbered above, please call (214) 253-2830 for Alma Anderson or (214) 253-2883 for Brenda Garza.

Sincerely,

A handwritten signature in black ink, appearing to read "Brenda Garza".

Brenda Garza
OAA



GILLESPIE, ROZEN & WATSKY, PC

Benchmark Legal Media

Client Expenses: Court Cost - HKG

Re:Miller; Already Billed

10/13/2010

430.00

37664

FNB - GRW Operatin Invoice No. 07064

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469.878.6742
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INVOICE NUMBER 07064

July 14, 2010

CONTACT: Hal Gillespie

Gillespie, Rozen & Watsky, P.C.
3402 Oak Grove Ave., Suite 200
Dallas, TX 75204
214.720.2009
214.720.2291 Fax

CASE: Richard Miller

7/8 – 13/10

Speakers/Stands	
Projector/Screen	
VGA cables/Switcher	
Rental	\$430.00

Total:	\$430.00
---------------	-----------------

Please Make Check Payable to: Benchmark Media
EIN # 20-1209304

Legal Eagles Process Service

P.O. Box 140601
Dallas, Tx 75214
214-682-4201

INVOICE

INVOICE #(144)
DATE: MARCH 11, 2009

To: Gillespie, Rozen, Watsky and Jones



Richard
Miller

DESCRIPTION		HOURS	RATE	AMOUNT
Citation	Raytheon			70.00

Make all checks payable to Legal Eagles

Total due in 15 days. Overdue accounts subject to a service charge of 1% per month.

Thank you for your business!

GILLESPIE, ROZEN, WATSKY & JONES, PC.

Legal Eagles

Client Expenses:Service Fees - HKG
Client Expenses:Service Fees - HKG

3/3/2009
Re:Miller,Richard; Service to serve citation to Raythe
Re:Hunt;Service to serve citation to City of Balch Spri

36756

70.00
70.00

FNB - GRWJ Operatin

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